

FILED

April 21, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BY: NM
DEPUTY

HEATHER DAVIDSON,

Plaintiff,

v.

CHARTER SPECTRUM,

Defendant.

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CIVIL NO. SA-24-CV-01482-OLG

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has considered United States Magistrate Judge Elizabeth S. Chestney's Report and Recommendation (R&R), filed March 14, 2025, concerning the dismissal of Plaintiff's claims for failure to state a claim pursuant to 28 U.S.C. § 1915(e). (*See* R&R, Dkt. No. 9).

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within fourteen (14) days after being served with a copy of the findings and recommendations. FED. R. CIV. P. 72(b)(2). A copy of the R&R was mailed to Plaintiff via certified mail on March 17, 2025. (*See* Dkt. No. 9). Based on the record, Plaintiff received a copy of the R&R. (*See* Dkt. No. 12). To date, no objections have been filed, and the time to do so has passed.

Because no party has objected to the Magistrate Judge's findings or recommendations, the Court reviews the R&R for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); *cf.* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which an objection is made."). After such review, the Court finds that the R&R is neither clearly erroneous nor contrary to law.

The Court therefore **ADOPTS** the Magistrate Judge's R&R (Dkt. No. 9) as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1) and **DISMISSES** this case for failure to state a claim pursuant to § 1915(e). *See* 28 U.S.C. § 1915(e)(2). All pending motions in this case are **DENIED** as moot.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 21 day of April, 2025.



ORLANDO L. GARCIA
United States District Judge